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**Europäisches
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Zweigstelle
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**European
Patent Office**

Branch at
The Hague
Search
division

**Office européen
des brevets**

Département à
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Datum/Date

17. 03. 2006

Zeichen/Ref./Réf. AM-100927	Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°. 04700319.9
Anmelder/Applicant/Demandeur/Patentinhaber/Propriétaire/Titulaire Wyeth	

COMMUNICATION

The European Patent Office herewith transmits

- ☐ the European search report
- ☐ the declaration under Rule 45 EPC
- ☐ the partial European search report under Rule 45 EPC
- ☒ the European search report under Rule 112 EPC
relating to the above-mentioned European patent application. Copies of the documents cited in the search report are enclosed.

The following specifications given by the applicant have been approved by the Search Division :

- ☐ Abstract ☐ Title ☐ Figure
- ☐ The abstract was modified by the Search Division and the definitive text is attached to this communication.
- ☐ The following figure will be published with the abstract, since the Search Division considers that it better characterises the invention than the one indicated by the applicant.

Figure:

- ☐ Additional copy(copies) of the documents cited in the European search report.

REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





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EUROPEAN SEARCH REPORT
under Rule 112 EPC

Application Number
EP 04 70 0319

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
	On request of the applicant the present search report has been drawn up for claims 1-11,13,14,16-20 'partial' relating to invention 21 (GPR47)		G01N33/574
P,X	YAMAMOTO Y ET AL: "OVEREXPRESSION OF ORPHAN G-PROTEIN-COUPLED RECEPTOR, GPR49, IN HUMAN HEPATOCELLULAR CARCINOMAS WITH BETA-CATENIN MUTATIONS" HEPATOLOGY, WILLIAMS AND WILKINS, BALTIMORE, MD, US, vol. 37, no. 3, March 2003 (2003-03), pages 528-533, XP008041122 ISSN: 0270-9139 * the whole document * * figure 2 *	1-11,13, 14,16-20	
E	WO 2004/005457 A (KYLIX B.V; COLLAND, FREDERIC; BARKER, NICHOLAS; CLEVERS, JOHANNES, CAR) 15 January 2004 (2004-01-15) * the whole document * * page 5, line 16 * * claims 14,28,29 * * page 4, line 27 - page 7 *	1-11,13, 14,16-20	TECHNICAL FIELDS SEARCHED (IPC) G01N
E	EP 1 602 930 A (HINZMANN, BERND, DR; STEIN, DR., ANKE; STAUB, DR., EIKE; HEIDEN, ESMER) 7 December 2005 (2005-12-07) * the whole document *	1-11,13, 14,16-20	
E	WO 2004/074436 A (INCYTE CORPORATION; LASEK, AMY, W) 2 September 2004 (2004-09-02) * the whole document *	1-11,13, 14,16-20	
-/--			
Place of search The Hague		Date of completion of the search 1 March 2006	Examiner Jenkins, G
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			



European Patent
Office

EUROPEAN SEARCH REPORT
under Rule 112 EPC

Application Number
EP 04 70 0319

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
E	WO 2004/098521 A (TAIGEN BIOTECHNOLOGY; CHEN, HUA-CHIEN; SUN, YING; HUANG, YING-HUEY; HS) 18 November 2004 (2004-11-18) * the whole document *	1-11,13, 14,16-20	
E	WO 2005/040828 A (BAYER HEALTHCARE AG; GOLZ, STEFAN; BRUEGGEMEIER, ULF; GEERTS, ANDREAS;) 6 May 2005 (2005-05-06) * the whole document *	1-11,13, 14,16-20	
			TECHNICAL FIELDS SEARCHED (IPC)
Place of search		Date of completion of the search	Examiner
The Hague		1 March 2006	Jenkins, G
CATEGORY OF CITED DOCUMENTS			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document	



CLAIMS INCURRING FEES

The present European patent application comprised at the time of filing more than ten claims.

☐ Only part of the claims have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims and for those claims for which claims fees have been paid, namely claim(s):

☐ No claims fees have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims.

LACK OF UNITY OF INVENTION

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

see sheet B

☐ All further search fees have been paid within the fixed time limit. The present European search report has been drawn up for all claims.

☐ As all searchable claims could be searched without effort justifying an additional fee, the Search Division did not invite payment of any additional fee.

☒ Only part of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the inventions in respect of which search fees have been paid, namely claims:

1-11, 13, 14, 16-20 partially

☐ None of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims, namely claims:



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**LACK OF UNITY OF INVENTION
SHEET B**

Application Number
EP 04 70 0319

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

Invention 1: Claims 1-11,13,14,16-20 'partial!'

Gene encoded by SEQ ID: 1 as a marker for colon cancer.

Inventions 2-63: Claims 1-11,13,14,16-20 'partial!'

Genes encoded by SEQ ID: 2-63 as markers for colon cancer.



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**INCOMPLETE SEARCH
SHEET C**

Application Number
EP 04 70 0319

Claim(s) not searched:
12,15

Reason for the limitation of the search (non-patentable invention(s)):

Claims 12,15: Rule 39.1(iv) — ~~PCT~~ — ~~Method for treatment of the human or animal body by therapy~~

**ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.**

EP 04 70 0319

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.
The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

01-03-2006

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 2004005457 A	15-01-2004	AU 2003253046 A1 CA 2491947 A1	23-01-2004 15-01-2004
EP 1602930 A	07-12-2005	DE 10339820 A1	17-03-2005
WO 2004074436 A	02-09-2004	NONE	
WO 2004098521 A	18-11-2004	NONE	
WO 2005040828 A	06-05-2005	NONE	